

ENROLLED ORIGINAL

A RESOLUTION

18-494

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To confirm the reappointment of Mr. Peter Szegedy-Maszak to the Rental Housing Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rental Housing Commission Peter Szegedy-Maszak Confirmation Resolution of 2010".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Peter Szegedy-Maszak
5050 MacArthur Blvd., N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Rental Housing Commission, established by section 201 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. law 6-10; D.C. Official Code § 42-3502.01), for a term to end July 18, 2012.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To approve the sale of certain real property owned by the District of Columbia, located at 1839 13th Street, N.W., Ward 1, in the District of Columbia and designated for assessment and taxation purposes as Square 275, Lot 54.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Whitelaw Disposition Approval Resolution of 2010".

Sec. 2. (a)(1) Pursuant to section 6(c) of the Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Official Code § 6-1005(c)) ("Act"), the Mayor transmitted to the Council a request for Council approval of the disposition by negotiated sale of certain land underlying the Whitelaw Hotel Apartments, located at 1839 13th Street, N.W., and identified for purposes of assessment and taxation as Lot 0054, in Square 0275 ("Whitelaw").

(2) On December 9, 1991, the Department of Housing and Community Development entered into a land lease agreement with the Whitelaw Hotel Limited Partnership ("WHLP"), under the land Acquisition Housing Development Opportunities ("LAHDO") program for the purpose of facilitating the rehabilitation of Whitelaw. WHLP rehabilitated and owns the Whitelaw improvements and presently provides affordable rental housing for low-income households. The LAHDO program gives the developer the option to purchase the underlying land 5 years after the project has been placed into service; provided, that the project continues to provide affordable rental housing for a period of at least 10 years after the date of sale.

(3) Under the terms of the land sales agreement, among other things, WHLP is required to maintain all 35 units in Whitelaw as affordable rental units for households at or below 60% AMI for 14 years after the date of sale.

(4) On December 16, 2009, a public hearing was held by the Department of Housing and Community Development to solicit comment on the terms of the purchase. The feedback from the community was overwhelmingly positive.

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(b) The Council finds that the Mayor's analysis policy and other factors supporting the disposition of the property justifies the conveyance proposed by the Mayor.

(c) Pursuant to section 6(c)(2) of the Act, the Council approves the proposed disposition of the property.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chief Financial Officer.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency, due to Congressional review, with respect to the need for the Office of the Chief Financial Officer to determine the funds remaining for the 12th Street Streetscape project, and for the District Department of Transportation to have a 90-day moratorium on any expenditures of non-committed funds for the project in order to work with Advisory Neighborhood Commission 5A on a plan for the remaining phases for the project, including the option of placing utility lines underground.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Brookland Streetscape Congressional Review Emergency Declaration Resolution of 2010".

Sec. 2. (a) There exists an immediate need for the Office of the Chief Financial Officer to determine the funds remaining for the 12th Street Streetscape project, and for the District Department of Transportation to have a 90-day moratorium on any expenditures of non-committed funds for the project in order to work with Advisory Neighborhood Commission 5A on a plan for the remaining phases for the project, including the option of placing utility lines underground.

(b) On October 21, 2008, the Council unanimously approved the Sense of the Council on Exploring the Environmental and Aesthetic Quality of the 12th Street Streetscape Improvement Project Resolution of 2008, effective October 21, 2008 (Res. 17-840; 55 DCR 11770). The Council resolved the need to temporarily halt activity on the 12th Street Streetscape improvement in Ward 5 to support the Brookland Community's desire to explore placing all utility lines along this corridor underground to vastly increase the ability of this community to reach the best environmental and aesthetic outcome.

(c) Also on October 21, 2008, the Council unanimously approved the Utility Line Emergency Act of 2008, effective November 3, 2008 (D.C. Act 17-568; 55 DCR 12110) ("Act"). The Act required all utility lines over 12th Street, N.E., between Rhode Island Avenue, N.E., and Michigan Avenue, N.E., in Ward 5, to be placed underground, provided that funds are sufficient in the budget for the 12th Street Streetscape project, and that the Mayor shall use all unexpended funds designated for the 12th Street streetscape improvements in Ward 5 for the purposes described in the Act.

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(d) Subsequent to these actions, the Office of the Budget Director received conflicting dollar amounts regarding the unexpended funds available for the project and the funds initially approved for the project. The administration has yet to resolve the Brookland Community's concerns with regards to the plan to bury power lines, as well as the expenditure of funds for the scope of, and future plans for the project.

(e) On May 4, 2010, the Council enacted the Brookland Streetscape Emergency Act of 2010, effective May 26, 2010 (D.C. Act 18-427; 57 DCR 4777) ("emergency act"). The emergency act expires on August 24, 2010. The Brookland Streetscape Temporary Act of 2010, passed on 2nd reading on June 1, 2010 (Enrolled version of Bill 18-789) (temporary act"), must still complete its 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(f) It is important that the provisions of the emergency act continue in effect, without interruption, until the temporary act becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Brookland Streetscape Congressional Review Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-497

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency, due to Congressional review, with the respect to the need to require that the Office of the Chief Financial Officer submit to the Council a written determination on whether the District of Columbia Public Schools has a surplus in its fiscal year 2010 budget and if its reduction-in-force action was based on an accounting error, and if so, to require the District of Columbia Public Schools to submit a feasibility plan on the possible reinstatement of separated faculty and staff.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Public Schools Teacher Reinstatement Congressional Review Emergency Declaration Resolution of 2010".

Sec. 2. (a) On October 29, 2010, the Council held a hearing to inquire as to the rationale for a District of Columbia Public Schools ("DCPS") reduction-in-force ("RIF") action. After DCPS projected a budget shortfall, the Council, relying on the agency's report, mandated a reduction in the summer school schedule to resolve the concern. However, the DCPS Chancellor testified, "My understanding is that I do have the authority as the agency head to make decisions about moving budget [items] from one place to another," and instituted a RIF action instead.

(b) Moreover, at the October 29, 2010 hearing, DCPS and the Office of the Chief Financial Officer testified that due to a \$40 million budget shortfall, the RIF action that took place was indeed necessary and within the parameters of District personnel laws and regulations.

(c) On April 13, 2010, the DCPS Chancellor indicated that the previously stated \$40 million budget shortfall was the result of an alleged accounting error, and that there may be an approximately \$34 million surplus in the DCPS budget. Moreover, in response to a reply of the Chief Financial Officer stating there is no budget surplus, the Chancellor stated that there is in fact an additional \$29 million that DCPS can identify. Therefore, the basis cited as the necessity for the RIF may not have existed.

(d) There is an urgent need for the Office of the Chief Financial Officer to review this matter immediately, and if the reported budget shortfall was based on an error in accounting, DCPS should respond to the Council with a feasibility plan on the possibility of reinstating separated faculty and staff.

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(e) On May 4, 2010, the Council passed the District of Columbia Public Schools Teacher Reinstatement Emergency Act of 2010, effective May 26, 2010 (D.C. Act 18-425; 57 DCR 4773) ("emergency act"). The emergency act expires on August 24, 2010. The District of Columbia Public Schools Teacher Reinstatement Temporary Act of 2010, passed on 2nd reading on June 1, 2010 (Enrolled version of Bill 18-785) ("temporary act"), must still complete its 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

(f) It is important that the provisions of the emergency act continue in effect, without interruption, until the temporary act becomes law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Public Schools Teacher Reinstatement Congressional Review Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-498

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to authorize payment to Cross Current Corporation in the amount of \$67,240 for services provided to the District of Columbia Sentencing and Criminal Code Revision Commission without a valid written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Cross Current Corporation Payment Authorization Emergency Declaration Resolution of 2010".

Sec. 2. (a) The District of Columbia Sentencing and Criminal Code Revision Commission ("Commission") has utilized the Cross Current Corporation to develop and maintain a web-based Sentencing Guideline Database ("DC-SGS") capable of capturing sentencing data for analysis by the Commission. Cross Current Corporation has satisfactorily rendered these services to the Commission, for which they have been paid by the Office of Contracting and Procurement in the past.

(b) The Office of Contracting and Procurement has determined that no valid written contract is in place to permit payment to the Cross Current Corporation for services rendered. The total of all unpaid invoices from Cross Current Corporation is \$67,240.00. These outstanding invoices cover work performed between May 31, 2007 and March 3, 2010.

(c) Relying on the precedent of previous payments to the vendor, and unaware that contracting documents were inadequate, the Commission has continued to utilize Cross Current Corporation to develop and maintain the DC-SGS.

(d) Entering the final stages of development of the DC-SGS before its launch requires additional work from Cross Current Corporation, work that will not be performed until the vendor has been paid for work already completed.

(e) Authorizing payment to Cross Current Corporation is not only equitable, given that these services were performed in good faith and under the assumption that they were under a valid contract, but also allows work to proceed to launch the DC-SGS.

(f) The Commission has funding available in its budget in the current fiscal year to pay the vendor for these services.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Cross Current Corporation Payment Authorization Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately

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A RESOLUTION

18-499

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to amend the District of Columbia Public Postsecondary Education Reorganization Act to change the quorum requirement for the University of the District of Columbia Board of Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "University of the District of Columbia Board of Trustees Quorum Emergency Declaration Resolution of 2010".

Sec. 2. (a) Under section 401 of the District of Columbia Public Postsecondary Education Reorganization Act, effective October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1204.01), a total of 8 of the voting members of the University of the District of Columbia Board of Trustees constitutes a quorum for the transaction of business.

(b) Because there are only 8 voting members on the Board of Trustees with active terms, the presence of every member is required at every board meeting, which threatens the board's ability to ensure consistent administration of university affairs.

(c) The proposed legislation would redefine a quorum as a majority of members. A permanent measure (Bill 18-724) has been introduced and shall have a public hearing. The committee will consider the permanent measure this autumn. In the interim, emergency action is necessary to ensure the Board of Directors' ability to establish a quorum and maintain administration of the university until the permanent measure becomes effective.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the University of the District of Columbia Board of Trustees Quorum Emergency Amendment Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-500

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to amend the District of Columbia Public Postsecondary Education Reorganization Act to grant the Board of Trustees of the University of the District of Columbia independent procurement authority; and to amend the District of Columbia Procurement Practices Act of 1985 to exempt the Board of Trustees of the University of the District of Columbia from the requirements of the District of Columbia Procurement Practices Act of 1985 except for the requirements pertaining to contract protests, appeals, and claims.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "University of the District of Columbia Procurement Authority Emergency Declaration Resolution of 2010".

Sec. 2. (a) Through the Fiscal Year 2010 Budget Request Act, substantial investments were made in the capital budget for the University of the District of Columbia ("UDC"), in an effort to support deferred maintenance, long-overdue modernization projects, and the construction of a new student center.

(b) Individually authorized capital projects were pooled into one general project fund, entitled "Renovation of the Van Ness Campus." UDC has been granted full management authority over the funds for this pooled project.

(c) The university stands prepared to manage implementation of existing projects, many of which have been stalled as a result of inconsistent priorities among the university and relevant District agencies involved in the procurement process. These delays have increased overall costs and obstructed completion of the project.

(d) To allow full discretion in the management of capital projects, independent procurement authority is necessary to facilitate the purchase of goods and services and to move forward with project implementation in a manner that is most expeditious and consistent with university needs and priorities.

(e) Given the urgent need to move forward with deferred maintenance and modernization projects, the existing capacity within UDC to effectively manage these projects, the

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ramifications of stalled procurement on project costs and implementation, and the substantial financial investment at stake, emergency legislation is necessary to provide the university with independent procurement authority to ensure effective project management .

(f) The Council approved emergency and temporary legislation on September 22, 2009 and October 6, 2009, respectively.

(g) Since that time, the university has developed rules to govern the process and purchased a state-of-the-art electronic procurement system to increase efficiency.

(h) Temporary legislation will expire on July 30, 2010. Additional emergency legislation is, therefore, necessary to allow the university to maintain procurement authority until associated permanent legislation becomes effective.

(i) Permanent legislation has been introduced in the Office of the Secretary. The Committee of the Whole will hold a hearing on the legislation this autumn to review the university's performance under temporary procurement authority and assess the feasibility of permanent autonomy.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the University of the District of Columbia Procurement Authority Emergency Amendment Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-501

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to amend section 47-310.01(a) of the District of Columbia Official Code to include the Council of the District of Columbia as a recipient of the quarterly financial reports on the financial and budgetary status of the Government of the District of Columbia currently submitted by the Mayor to the United States Congress.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Quarterly Financial and Budgetary Status Reporting Emergency Declaration Resolution of 2010".

Sec. 2. (a) There exists an immediate need for the Council of the District of Columbia to have access to the quarterly financial reports on the financial and budgetary status of the Government of the District of Columbia; which are currently submitted by the Mayor only to the United States Congress.

(b) In the past 7 years, local revenue spending by the Government of the District of Columbia has increased by more than 50%.

(c) A significant portion of this increase is directly attributable to spending pressures caused by Executive agencies consistently overspending their appropriations.

(d) Just this year, the Council was forced to step in and take corrective action for the fiscal year 2010 budget because of an estimated \$212.4 million in government overspending; however, the Executive failed to notify the Council of the existence of these pressures prior to them reaching this critical level.

(e) If enacted, the proposed measure would ensure that the Council has an up-to-date, quarterly accounting of the financial health of the District 15 days after the end of each quarter of the fiscal year. This is the same accounting that the Mayor currently provides to the United States Congress, which includes:

(1) A comparison of actual to forecasted cash receipts and disbursements for each month of the quarter, as presented in the District's fiscal year consolidated cash forecast, supported and accompanied by cash forecasts for the General Fund of the District of Columbia

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and each of the District government's other funds;

(2) A projection of the remaining months' cash forecast for the fiscal year;

(3) Explanations of the differences between actual and forecasted cash amounts for each of the months in the quarter, and the changes in the remaining months' forecast as compared to the original forecast for those months of the fiscal year; and

(4) The effect of these changes, actual and projected, on the total cash balance of the remaining months for the fiscal year.

(f) By ensuring that the Council has immediate access to the quarterly spending reports of the District no more than 15 days after the end of each quarter, the Council can better exercise oversight of Executive spending to ensure that the District stays within the revised approved budget plan for fiscal year 2010 and can exercise stronger budget oversight in future years.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Quarterly Financial and Budgetary Status Reporting Emergency Act of 2010 be adopted after a single reading.

Sec. 4. The resolution shall take effect immediately.

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A RESOLUTION

18-502

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to exempt from taxation certain property located at 1220 12th Street, N.W., in Ward 2, owned by King Housing LLC., or its affiliate, which is to be rehabilitated as affordable and low-income housing.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "King Towers Residential Housing Real Property Tax Exemption Emergency Declaration Resolution of 2010".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to exempt from taxation certain property located at 1220 12th Street, N.W., in Ward 2, owned by King Housing LLC., or its affiliate, which is to be rehabilitated as affordable and low-income housing. The emergency legislation is identical in substance to Bill 18-749, which had a public hearing on June 4, 2010.

(b) The economic condition of our country has created an extremely difficult climate to find tax credit equity investors for King Towers. After months of hard work, 2 programs provided by the U.S. Department of Housing and Urban Development ("HUD") and the District of Columbia Housing Finance Agency ("DCHFA") are used to help finance the King Towers rehabilitation project. King Towers has been allocated \$10.6 million through the DCHFA New Issuance Bond Program with a closing deadline of June 30, 2010. The emergency legislation is needed to facilitate the bond closing for the project and to enable the developer to take advantage of below- market interest rates so the project can move forward.

(c) The emergency legislation is also necessary to expedite the modernization and upgrading of the affordable and low-income housing units at King Towers. It will improve the quality of life for the mostly low-income and African-American residents and build out 2 brand new Out of School Time facilities for the children of King Towers.

(d) Finally, the emergency legislation will allow King Towers to benefit from a Renewable Grant in Lieu of Tax Credits allowed under the American Recovery and Reinvestment Tax Act of 2009. To be eligible for the grant, the renewable energy projects at King Towers would need to be placed in service by December 31, 2010.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the King Towers Residential Housing Real Property Tax Exemption Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-503

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to reduce the quorum requirement of the Rental Housing Commission to one member.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rental Housing Commission Emergency Declaration Resolution of 2010".

Sec. 2. (a) The Rental Housing Commission ("RHC") is a 3 person commission that currently needs a majority of members to constitute a quorum. Reducing this requirement to one member will allow the Council to take action that allows the now dormant RHC to resume its duties.

(b) The Mayor nominated 3 individuals to the RHC late last fall. Immediately concerns were raised by many housing advocates, landlord/tenant attorneys, and community leaders about the qualifications of 2 of the nominees.

(c) Over the course of 2 roundtables it became even more apparent that of the 3 residents the Mayor nominated, only one had the required experience in this complex area of housing law.

(d) The Committee on Housing and Workforce Development has made repeated requests over the past 8 months for the Executive to provide more qualified nominees. The Executive repeatedly resubmitted the same names without even acknowledging the Committee's concerns.

(e) As such, an impasse has occurred and the holdover terms of the sitting RHC members has expired. The commission has been dormant since January.

(f) The Committee on Housing and Workforce Development will present Mr. Peter Szegedy-Maszak's nomination to the full Council for approval at the June 15, 2010 legislative meeting. Mr. Szegedy-Maszak has served on the Rental Housing Commission since 2007 and was the only member that was re-nominated by the Mayor in the Fall of 2009.

(g) Permanent legislation that will place more stringent requirements for serving on the RHC will be introduced on June 15, 2010. Currently, the requirements amount to little more than District residency and admission to practice law in the District.

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(h) These actions, coupled with reducing the quorum requirement, will allow the Council time to make needed changes to the RHC while allowing it to begin functioning again.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Rental Housing Commission Quorum Emergency Amendment Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-504

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to adopt the Greater Washington 2050 Compact recommended by the board of directors of the Metropolitan Washington Council of Governments.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Greater Washington 2050 Compact Emergency Declaration Resolution of 2010".

Sec. 2. (a) In January 2010, the board of directors of the Metropolitan Washington Council of Governments ("COG") recommended that its member jurisdictions each adopt the Greater Washington 2050 Compact, a comprehensive guide for regional planning that establishes goals to guide planning to shape a more accessible, sustainable, prosperous, and livable region over the next half century.

(b) Nearly all of COG's member jurisdictions have adopted the Greater Washington 2050 Compact.

(c) District government adoption of the Greater Washington 2050 Compact will assist current and future regional and District efforts to obtain federal grant dollars that are available for projects and programs that promote sustainability.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Greater Washington 2050 Compact Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-505

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to require registration with public safety and regulatory agencies by the holder of an off-premises retailer's license, Class A, wishing to sell and deliver alcoholic beverages between 9:00 a.m. and 10:00 p.m. during Independence Day, on Sunday, July 4, 2010.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Independence Day Class A Retailer Sales Emergency Declaration Resolution of 2010".

Sec. 2. (a) Independence Day is scheduled to occur this year on Sunday, July 4, 2010. The Independence Day holiday will be observed in the District of Columbia on Monday, July 5, 2010.

(b) D.C. Official Code § 25-722 does not allow the holder of an off-premises retailer's license, Class A, to sell and deliver alcoholic beverages on Sundays, except for December 24 and December 31.

(c) The District is a destination location for the Fourth of July. Neighboring jurisdictions in Prince Georges County, Maryland, and Arlington County, Virginia will both be selling alcoholic beverages for off-premises consumption on Sunday, July 4, 2010.

(d) The single-sale moratoriums that currently exist in Title 25 of the District of Columbia Official Code would remain in place.

(e) Emergency legislation is needed to clarify that licensees seeking approval to sell and deliver alcoholic beverages on Sunday, July 4, 2010 shall be required to register with public safety and regulatory agencies to allow for the planning of manpower and resources in advance of Independence Day.

(f) To assist with this enforcement effort, licensee registration must be completed by Thursday, July 1, 2010. Consequently, it is necessary for the Council to pass this legislation on an emergency basis.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Independence Day Class A Retailer Sales Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-506

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to approve measures that are necessary to support action taken on the District's fiscal year 2011 proposed budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2011 Budget Support Emergency Declaration Resolution of 2010".

Sec. 2. (a) The Fiscal Year 2011 Budget Support Act of 2010 ("permanent act") contains measures necessary to support the Fiscal Year 2011 Budget and Financial Plan. It is projected to complete its period of Congressional review and become law in September.

(b) There are time-sensitive provisions that need to be in place in advance of October 1, 2010, the date fiscal year 2011 begins, and before the September effective date of the permanent act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2011 Budget Support Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-507

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to approve a modification to Human Care Agreement No. DCJZ-2008-H-005 with Youth for Tomorrow to provide residential treatment services and specialized residential treatment services for youth involved in the District's juvenile justice system, and to authorize payment for the services received and to be received under the human care agreement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement No. DCJZ-2008-H-005 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2010".

Sec. 2. (a) There exists an immediate need to approve Human Care Agreement No. DCJZ-2008-H-005, as modified by proposed Modification M0010, to provide residential treatment services and specialized residential treatment services for youth involved in the District's juvenile justice system and to authorize payment for the services received and to be received under this human care agreement.

(b) On September 22, 2009, by Modification M0009, the Office of Contracting and Procurement exercised option year 2 for the period from October 1, 2009, through September 30, 2010.

(c) The District closed Forest Haven, a center, in Laurel, Maryland, for housing and providing residential treatment services to delinquent youth, and replaced it with a smaller facility.

(d) The closing of Forest Haven resulted in a need to have private contractors provide additional residential and specialized residential-treatment services.

(e) This Human Care Agreement has not been considered by the Council prior to proposed Modification M0010.

(f) By proposed Modification M0010, the Office of Contracting and Procurement is seeking to increase the not-to-exceed amount to a total of \$1,463,315 for option year 2 to meet the increased demand for services.

(g) Council approval is necessary as this modification will increase the contract resulting from the human care agreement to be more than \$1 million during a 12-month period.

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(h) Council approval is necessary to allow the continuation of these vital services. Without this approval, Youth for Tomorrow cannot be paid for services provided in excess of \$999,999 in this option year.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Human Care Agreement No. DCHZ-2008-H-005 Modification Approval and Payment Authorization Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-508

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to approve Contract No. DCJZ-2007-H-0011 to provide therapeutic home services for District youths and to authorize payment for the services received and to be received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCJZ-2007-H-0011 Approval and Payment Authorization Emergency Declaration Resolution of 2010".

Sec. 2. (a) There exists a need to approve Contract No. DCJZ-2007-H-0011 with Beyondvision Inc., to provide therapeutic home services for District youths and to authorize payment for the services received and to be received under that contract.

(b) The Office of Contracting and Procurement ("OCP"), on behalf of the Department of Youth and Rehabilitation Services, exercised option year 2 of Contract No. DCJZ-2007-H-0011 ("Contract") to Beyondvision Inc., to continue to provide therapeutic home services for District youths for the period from January 19, 2009 through January 18, 2010.

(c) During option year 2, PO 286855 and PO 300832 in the combined amount of \$810,900 were approved.

(d) Proposed Modification No. 5 is now necessary to increase the amount of option year 2 to a total estimated amount not to exceed \$1,392,840.

(e) Council approval is necessary as this modification increases the contract by more than \$1 million during a 12-month period.

(f) Without Council approval, Beyondvision Inc., cannot be paid for services it provided in excess of \$999,999 since October 1, 2009.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCJZ-2007-H-0011 Approval and Payment Authorization Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-509

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to approve a modification to Human Care Agreement No. POJA-2006-0040-09 with Koba Institute to provide therapeutic family home services for youth involved in the District's juvenile justice system and to authorize payment for the services received and to be received under the human care agreement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Human Care Agreement No. POJA-2006-H-0040-09 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2010".

Sec. 2. (a) There exists an immediate need to approve Human Care Agreement No. POJA-2006-H-0040-09, as modified by proposed Modification M0008, to provide therapeutic family home services for youth involved in the District's juvenile justice system and to authorize payment for the services received and to be received under this human care agreement.

(b) On May 22, 2009, by Modification M0006, the Office of Contracting and Procurement exercised option year 3 in an estimated amount of \$990,000 for the period from May 24, 2009, until May 23, 2010.

(c) On February 1, 2010, by Modification M0007, the Office of Contracting and Procurement increased the maximum number of youth that could be housed in each therapeutic family home from 4 youth to 6 youth.

(d) By proposed Modification M0008, the Office of Contracting and Procurement is seeking to increase the not-to-exceed amount by \$408,904.64 to a total not-to-exceed of amount of \$1,398,904.64 for option year 3 to meet the increased demand for therapeutic family home services.

(e) Council approval is necessary as this modification will increase the contract resulting from the human care agreement by more than \$1 million during a 12-month period.

(f) Approval is necessary to allow the continuation of these vital services. Without this approval, Koba Institute cannot be paid for services provided in excess of \$999,999 in this option year.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Human Care Agreement No. POJA-2006-H-0040-09 Modification Approval and Payment Authorization Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-510

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to approve Contract No. POFA-2005-C-0002-A to provide continued operation of the Police and Fire Clinic and to authorize payment for the services received and to be received under that contract, and to approve Contract No. DCFA-2009-C-2292 with PFC Associates, L.L.C. to provide occupational and emergency medical services, in a managed care environment, for up to 6,600 Covered Employees, primarily in the police, fire, and emergency services.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. POFA-2005-C-0002-A and Related Purchase Orders Approval and Payment Authorization Emergency Declaration Resolution of 2010".

Sec. 2. (a) There exists a need to approve Contract No. POFA-2005-C-0002-A and related purchase orders with PFC Associates, LLC ("PFC") to provide continued operation of the Police and Fire Clinic and to authorize payment for the services received and to be received under that contract, and to approve Contract No. DCFA-2009-C-2292 with PFC Associates, L.L.C., a multiyear contract with a base period of 3 years, to provide occupational and emergency medical services, in a managed care environment, for up to 6,600 Covered Employees, primarily in the police, fire, and emergency services.

(b) The Office of Contracting and Procurement ("OCP"), on behalf of the Metropolitan Police Department, extended Contract No. POFA-2005-C-0002 ("Contract") to PFC to continue operation of the Police and Fire Clinic by Modification No. POFA-2005-C-0002-A and PO311014 for the period from October 1, 2009, to October 31, 2009 in the amount of \$805,475.14.

(c) PO315166 extended Modification No. POFA-2005-C-0002-A for the period from November 1, 2009, to November 30, 2009 in the amount of \$800,000.00.

(d) PO317347 extended Modification No. POFA-2005-C-0002-A for the period from December 1, 2009, to December 31, 2009, in the amount of \$805,475.14.

(e) PO319360 extended the contract for the period from January 1, 2010, through February 28, 2010, in the amount of \$1,610,950.28.

(f) PO323947 extended the contract for the period from March 1, 2010, through March

ENROLLED ORIGINAL

31, 2010, in the amount of \$805,475.14.

(g) PO326884 extended the contract for the period from April 1, 2010, through April 30, 2010 in the total amount of \$805,475.14.

(h) PO329438 extended the contract for the period from May 1, 2010, through May 31, 2010, in the total amount of \$805,475.14.

(i) PO331751 extended the contract for the period from June 1, 2010, through June 30, 2010 in the total amount of \$805,475.14.

(j) The total amount of these contract actions from October 1, 2009, through June 30, 2010, is \$7,243,801.12.

(k) Council approval is necessary since the contract actions in Contract No. POFA-2005-C-0002-A amount to more than \$1 million in expenditures during a 12-month period. The base period in Contract No. DCFA-2009-C-2292 is 3 years and, as a multiyear contract, it requires affirmative Council approval.

(l) Approval is necessary to allow the continuation of these vital services. Without this approval, PFC cannot be paid for services provided in excess of \$999,999 since October 1, 2009.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. POFA-2005-C-0002-A and Related Purchase Orders Approval and Payment Authorization Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-511

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 2010

To declare the existence of an emergency with respect to the need to approve modifications to Contract No. DCFA-2007-C-0013 with First Vehicle Services and to authorize payment for the services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCFA-2007-C-0013 Modifications Approval and Payment Authorization Emergency Declaration Resolution of 2010".

Sec. 2. (a) There exists a need to approve Modification No. 3 and proposed Modification No. 4 to Contract No. DCFA-2007-C-0013 to provide vehicle fleet management and preventive maintenance services for the Metropolitan Police Department and the Department of Real Estate Services and to authorize payment for services received and to be received under the contract.

(b) On April 27, 2010, by Modification No. 3, the Office of Contracting and Procurement exercised a partial option for option year one in the estimated amount of \$525,541.09 for the period from May 1, 2010 through May 31, 2010.

(c) Modification No 4 is now necessary to exercise the remainder of option year one to increase the total estimated not-to-exceed amount for option year one to \$6,306,078.

(d) Council approval is necessary since these modifications increase the contract by more than \$1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital services. Without this approval, the First Vehicle Services cannot be paid for services provided in excess of \$999,999 in option year one.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCFA-2007-C-0013 Modifications Approval and Payment Authorization Emergency Act of 2010 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.